

REMARKS

In the Official Action in paragraph 3, the Patent Examiner rejected claims 43, 46, 49-51, 53, 54, 56, 58-60 and 63-67 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1, 4, 9, 11, 14 and 25-29 inclusive of U.S. Patent No. 6,264,432 B1. It is believed that the correct number is U.S. Patent No. 6,264,462 B1.

In addition, claim 52 as set forth in paragraph 4 of the Official Action was also rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 43, 46, 49-51, 53, 54, 56, 58-60 and 63-67 of U.S. Patent No. 6,262,461 B1 in view of Morizot, et al.

In paragraph 5, the Patent Examiner noted that claims 44, 45, 47, 48, 55, 57, 61 and 62 were objected to as being dependent upon a rejected base claim but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

TERMINAL DISCLAIMER

In order to traverse the double patenting rejection, Applicant is submitting herewith the following document executed by the inventor, Robert M. Gallagher:

--Terminal Disclaimer Under 37 C.F.R. § 1.321(c) to Obviate a Double Patenting Rejection--.

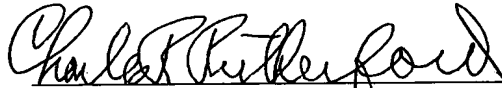
FEE UNDER 37 C.F.R. § 1.20(d)

The Assistant Commissioner is hereby authorized to deduct the amount of \$55.00 from deposit account number 04-2223 in payment of the fee presently due in connection with the Terminal Disclaimer under 37 C.F.R. § 1.20(d). The Assistant Commissioner is hereby further authorized to charge any deficiency or credit any overpayment to deposit account number 04-2223. A duplicate copy of the first page of the Disclaimer is also disclosed.

It is believed that the filing of the enclosed Terminal Disclaimer responds to the Official Action and places the application in condition for immediate allowance and such action is respectfully requested.

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CERTIFICATE OF MAILING

I hereby certify that this *Response* is being deposited with the United States Postal Service on this 12 day of May, 2004 in an envelope as first class mail addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.


Dianne Barefoot

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